The official investigation of the death of Mrs. Sarah Ann Waters revealed some unwholesome things yesterday, but it did not tend to show anything unlawful in connection with her demise. The investigation will be continued both by the Coroner's office

and by the District Attorney's office. Sarah and Dorsis Le Brantz, Dr. Campbell, Mary Belwicks, the nurse who attended Mrs. Waters; Miriam Conklin, the nurse who spent one night with the old woman last autumn, and William McConnell, the Janitor of a neighboring flat house and a witness to an alleged will giving \$10,000 to Dr. Campbell, were examined by Assistant District Attorney Garvan at his office, the examination taking several hours of the after-

Sarah Le Brantz and McConnell acknowledged in this examination that after the execution of the will giving \$10,000 to Dr. Campbell, the four physicians brought to the house by Dr. Campbell to examine into the condition of Mrs. Waters's mind determined that she was mentally incompetent. The suggestion was then made, these witresses said, that a will must be found or made bearing a date prior by more than sixteen months to that examination, as it was declared by Dr. Campbell that Mrs. Waters had been mentally unsound for that

These witnesses then declared that Dr. Campbell had said that he would get a certain lawyer of New York to draw such a will, and that the doctor offered \$500 to Mc-Connell to witness it. McConnell said that he thought on the matter over night and then declined to act as witness.

Sarah Le Brantz acknowledged that she knew such a proceeding was wrong, but said she felt that that was the only way of getting the property back into the

Dr. Campbell denied these allegations. He said, as to an offer of money to McConnell, that he had felt that McConnell and his wife should have some money, \$300

his wife should have some money, \$300 or \$400 perhaps, from Mrs. Waters, because of the aid they had given at different times to the Waters household.

Dr. Campbell brought to the District Attorney's office a bottle which he said he had found on the mantelpiece at the Waters house on Thursday morning, when he went there after being notified or Mrs. Waters's death. He was told at the house that the bottle contained chloroform, and he had taken it away with him for two reasons—that he might find out what it did contain (it was chloroform) and because its label would show that his assistant, Dr. McKee, was attending Mrs. Waters at the time the bottle and its contents were bought, on Ang. 6 last.

Miriam Conklin told the District Attorney that she was not at the Waters house on Aug. 27 last, but the single night she spent

Aug. 27 last, but the single night she spent at the house was that of Sept. 9. She was in the mountains in August. The reason she left the house early in the morning was that the condition of fifth there was such that the condition of fifth there was such that the condition of the condition of the property of the condition of the property of the condition will be examined by the District Attorney at a later date. The re-

District Attorney at a later date. The re-port of Coroner's Physician Schultze, who made the autopsy on Mrs. Waters's body and took some of the vital organs for further analysis, does not so far contain anything

play in connection with her death.

Mr. Conklin yesterday filed for probate the will of Mrs. Waters bearing date of April 4 last, under which he is the chief beneficiary. The will bequeaths to the American Female Guardian Society and Home for the Edwards are the property and Home April 4 last, under which he is the can.

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April 4 last, under which he are a thorough and exhaustive intention that after a thorough and exhaustive inten

will, and the witnesses are Wilson M. Powell of 324 West Fifty-eighth street, John Hal-lock Waring of Montclair and Walter B.

The signature of Mrs. Waters is illegible, written very faintly. Below her signature is swritten firmly in another hand "Sarah A. Waters, her mark," and the customary

ross mark is there made.

The petition for probate estimates the real property at \$46,500 and the personal at \$63,300, and it recites that the decedent transferred portions of both the real and personal property to Mr. Conklin with the real and personal property to Mr. Conklin with the understanding that he hold the same in trust and pay her living expenses during her life, and after her death make such dispositions of her property as the will provided for.

The house at 451 West Twenty-first

The house at 451 West Twenty-first street, which was transferred to him, the petitioner values at \$12.5.0, and the other petitioner values at \$12.5 %, and the other property transferred to him is spoken of as "personal property, cash, and a mort-rag on the building and lot at the north-essi corner of Twenty-eighth street and Eighth avenue to secure a loan of \$ 9,000." The petition values the becomes to the Fenale Guardian Society at \$15,000. The petitioner ares that to his best knowledge and belief the decedent left surviving her no heirs or next of kin. The petition is signed by Mr. Conklin and Charles P. Barker, a

Mr. Conklin through his lawyers made a statement yesterday in which among other things he said that Miriam Conklin, the nurse, was no relative of his; that he had paid Mrs. Waters's expenses from the money entrusted to him for some time; that he had paid Dr. Campbell's bills from those funds. It concludes: those funds. It concludes:
"I shall now remain silent unless it be-

FOURTH LIFE MIVER'S SAVED. Mounted Policeman Jumps Into the ley Water After a Drowning Man.

Mounted Policeman Hugh McIver of the City Island sub-station, who wears three medals for saving lives in Pelham Bay and another for stopping a runaway. rescued a drowning man yesterday.

Frank Schutt, the captain of a canal boat at the foot of Prospect street, City Island, was crossing the ice-covered deck of his craft at noon vesterday when he slipped and fell into the water. A strong tide was running and he was carried away from the boat. McIver heard his shouts and spurred his horse from Main street

to the dock and jumped in.

He got Schutt by the collar just as the canalboat man was about to give up, but was unable to make his way back to land with his burden. Roundsman Frank Smith and two hotel men, William Winter and James Freeman, succeeded after failures. James Freeman, succeeded, after failures,

in throwing a rope to the policeman.

Both men were unconscious when they were pulled in, but were soon put to bed and were said to be doing all right last night. McIver had a high fever.

Slippery Rails Cause Collision. ELIZABETH, N. J., Dec. 12.- A railroad crash occurred at 8 o'clock to-night at the passenger station of the Central Railroad, when Engine 511, running extra west, struck the rear of a Newark passenger train ssengers were thrown violently from their seats, but no one was seriously in-jured. The engineer could not hold his

was delayed two hours.

cause of the slippery rails. Travel

GLASS HOUSES FOR THE SICK. Novel Hospitals to Be Built for Phila-

Fresh air and sunshine in capsules of steel and glass-these are what Philadelphia is about to prescribe for her indigent consumptives in a unique hospital. The Board of Charities and Corrections has advertised for blds for tuberculosis pavilions to be erected on the present municipal property

in West Philadelphia. The project has received a sudden impetus from recent revelations as to the unsanitary conditions of the present buildings and from the death of Dr. Hughes, one of the resident physicians.

Philadelphia is thus following New York in the provision of special phthisis hospitals for the sick poor, but while New York is making immediate use of old buildings under the control of the Department of Public Charities on Blackwell's Island, the Philadelphia board will take time to erect a plant along advanced lines of construction for the open-air treatment of

The pavilions will cost \$140,000. They will be eight in number, 60 by 50 feet, with provision for thirty patients in each They will be one story in height, and the trussed roofs and sides and every part except the steel frames will be of glass.

The doors and windows will be pivoted so that ordinarily the air may sweep through, and when the weather is damp and cold all may be closed. A hot-air-blower system of heating will force fresh air into the rooms, and draw it out by exhaust fans, so that the atmosphere will be changed every ten minutes. The condensation on the glass walls and ceilings will be taken care of by a system of guttered skylights.

What colored glass will be used, a board of physicians will decide. After careful study, Architect Philip H. Johnson believes that light green glass will be best. Two doctors and three nurses will be in

attendance at each pavilion. It will be a treatment not only of cold air and sunshine, for the inmates will be in a veritable solution of these, but everything will be done to make the social atmosphere of the charity patients there equally cheerful and bracing.

HALF TOO MUCH FOR LAWYER. Appellate Division Refuses to Confirm such an Agreement.

The Appellate Division of the Supreme Court, in a unanimous decision handed down yesterday, holds that an agreement by which an attorney receives as compensation half his client's interest in a judgment obtained, where the judgment deals with a large estate, is unconscionaable. Justice O'Brien, who writes the de-

cision, says:

We are aware that of late the payment of large fees has been sanctioned by the courts, but no case has been brought to our attention which has gone to the extent of upholding a fee of one-half the client's cause of action; and now that the question is squarely presented, whether such an agreement is conscionable, we do not think it would be in the interest of public policy or professional ethics to place the seal of approval on it.

The lawyer in the case was I. Newton

ethics to place the seal of approval on it.

The lawyer in the case was I. Newton Williams, who had opposed the settlement of the estate of Ann Cassidy who died in 1897, leaving considerable property. Williams was attorney for the administrator of a deceased nephew of Mrs. Cassidy and had an agreement to get half of whatever the nephew inherite get.

NO PLAGUE IN SAN FRANCISCO. Disease in Chinatown There is Chicken

Cholera, Dr. Glennon Says. SAN FRANCISCO, Dec. 12 .- Dr. A. H.

not increase, though all conditions of local Chinatown were favorable to contagion.

WHIRLED ON A FLYWHEEL. Engineer Has His Skull Fractured and Several Ribs Broken.

Edward Lecor, engineer of the National Bedstead Company, at 110 Morgan street, Jersey City, caught his clothing in the belt of a flywheel while oiling the shafting yesterday morning. He was whirled round many times before the assistant engineer

topped the engine.

Lecor's skull was fractured and several ribs were broken. He was taken to the City Hospital. It is said that the flywheel was making 210 revolutions a minute at the time he was picked up.

BRADLEY GETS SNOW CONTRACT. City to Pay Him 25 Cents a Cuble Yard

for Removal Cheaper Than by the Load. Street Cleaning Commissioner Woodbury recommended to the Board of Estimate yesterday the awarding of the snow removal contract to William Bradley, who has had it before. The board so awarded it.

Mr. Bradley's bid was 25 cents a cubic yard. Major Woodbury explained that by paying by the area cleared instead of by the number of loads carted away the

The Weather.

The northwestern high pressure of Thursday has moved eastward. It was central north of th lower Lake regions yesterday and covered all the Atlantic coast and the northern part of the country from Florida northwestward to Oregon. Over all other sections, except the extreme Southwest pressure was low, with centres over New Mexico

and Oregon. Freezing weather extended as far south as south New York, where it fell slightly. The lowest tem

perature reported was 28 degrees below zero, from Williston, N. D. Snow fell in the New England States and lower Lake regions with rain or snow westward to the Rocky Mountains and in the Mississippi Valley, Unsettled conditions prevailed in nearly all sec-

In this city the day was partly cloudy and some age humidity. 76 per cent; barometer corrected to read to sea level at 8 A. M., 30:21: 3 P. M. 30:25 The temperature yesterday, as recorded by the official thermometer, and also by The Nun's thermometer at the street level, is shown in the an-

WASHINGTON FORECAST FOR TO DAY AND TO MORROW. For eastern New York, snow to-day and probably For eastern New York, snow to-day and probably to morrow, except fair in extreme south portion to-morrow; brisk northeast winds to day.

For New England, fair in north, increasing cloudiness in south portion to-day, followed by snow and continued cold; fresh to brisk northeast winds.

snow to-morrow.

For the District of Columbia, Maryland, Delaware and eastern Pennsylvania, rain or snew to-day fresh to brisk northeast winds; probably fair to

For New Jersey, rain or snow in south, snow in o-morrow, except probably snow in northwest For western New York, snow to day and probably

to morrow, brisk to high northeast winds to day.

delphia Consumptives.

CARTING IS SLIPPERY.

THEODOREB.STARR Diamond Merchant, Jeweler and Silversmith, MADISON SQUARE WEST

Between 25th and 26th Streets. Established 1862.
15 years on John St. as Starr & Marcus. 25 years as above.

SPECIAL NOTICE. No connection with any other house in this line of business.

STEAM REPLACES THIRD RAIL

ON WEST SIDE ELEVATED-SLEET BLOCK KEEPS UP.

Plight of the East Side Lines Was Worse -Manhattan Clings to Its Brush and Oil Device, but Can't Equip All

Its Trains for Three Weeks. The blockade on the elevated roads which started early on Thursday evening when ice began to form on the third rail continued vesterday morning and half the downtown population of New York got

to business late and out of sorts. The situation on the West Side so far as elevated traffic was concerned was a triffe better yesterday when the business rush set in than on the East Side. In the early morning hours the Manhattan officials had succeeded in getting every electric train off the line. The motormen who had once been engineers went back to their old work and by 7 o'clock the system was on a steam basis. The engines were brought over from the East Side to replace those that

had been sold. According to the managers of the road there was a normal service of steam trains on the West Side during the morning hours, but no one else seemed to think so. There were no express trains, blockades were frequent and the trains were so crowded that men and boys rode on the tenders of loco-motives. Only about half the usual num-

service was not resumed, however. On the East Side in the afternoon Second avenue trains were on time and Third avenue trains were about five minutes late. Last night there were blockades, however, and

people were late in getting home. Vice-President Skitt and Assistant General Manager Grape of the Manhattan had the same explanation to offer—that their trains were not yet equipped with devices to keep the rails clear. Furthermore they wouldn't be equipped for three weeks.

Second precinct, Hoboken, yesterday, Kruse was known in Hoboken as "the literary cop." He formerly worked on a newspaper there, and joined the force with the idea of speedy promotion.

The Police Commissioners at their last meeting received a communication from

meeting received a communication from the German-American Independent Citi-zens' Verein complaining of his activity in politics. They intended to make Kruse a sergeant, but changed their minds and conferred the appointment on Patrolman John Kipp.

Bank to Go Out of Business on Account of the Tax Law.

BINGHAMTON, N. Y., Dec. 12.-The Deposit National Bank announces that, because of the tax law, it will be forced out of business. It was organized in 1853. After Jan. 1, 1903, the Deposit National Bank will take no new business, and its affairs will be settled with as little distress as possible to its creditors. Charles J. Knapp, the president, will continue a banking business under the name of Charles J. Knapp, banker, and will take certain assets and assume obligations of the bank.

Princeton Wins Debate Against Harvard

PRINCETON. N. J. Dec. 12.-Princeton defeated Harvard in the ninth annual debate between the universities here to-night The judges reached the decision after only three minutes' deliberation. Princ supported the affirmative side of the q tion: "Resolved, That whenever in event of continued domestic violence lives and property are not adequately protected by a State, it is for the public good that the President should have the power to the President should have the power to afford protection, without the application of a State, of Federal aid."

slight Wreck on the Southern.

GREENSBORO, N. C., Dec. 12 .- One of the Southern road's through passenger trains ran into an open switch this morning at High Point and collided with a freight train. None of the passengers was seriously injured. Several train hands were slightly

COAL HERE, BUT HARD TO GET.

IT'S FROZEN IN THE CARS AND

ake Navigation Having Closed, There's More Anthractte Coming to New York Swanstrom Puts in a Plea for Brooklyn-Booth-Tucker for Olled Bricks.

The unusual weather conditions, with rain an sleet falling and freezing as they fell, brught the coal-carrying companies face to ce with an unexpected problem yesterda morning. The closing of navigation on the Great Lakes, which took place a few day ago, resulted in larger shipments by som of the companies, but the coal was so difficit to handle that less than the usual quantry could be distributed.

In some of the cars the coal was made into soliqmass by the freezing rain and sleet fallingon it, and eventually all attempts a handling the coal in these cars had to be

The dmand for anthracite was greatly increase yesterday on account of the weather forecast of snow. This made matters welly for the dealers. A private meeting as held during the day by repre sentatives of the companies and their salesagents to ionsider the best method of distribution. The question of selling coal by

he pail case up.

President Fowler of the Ontario and Western Ralroad said that there was a good deal olexaggeration as to the amount of coal that hid been going West. As a matter of fict, New York was better attended t than many other cities, and some Western cities were sarrificed for the sake of New York and would have to burn soft coal all

President J. Edward Swanstrom of the President J. Edward Swanstrom of the borough of Brooklyn in an interview yesterday, said he believed Brooklyn was not being treated fairly in the distribution of coal and that special action was necessary.

"I had a talk with officers of the Pennsylvania Railroad," he said, "and they are willing to coperate in the matter. A plan has been talked of to establish a depot at Thirty-ninth or sixty-fifth street, Brooklyn, where coal can be sold in any quantity at cost, if necessary."

at cost, if necessary. Mr. Swanstrom said that a public meet-ing would be called in the Special Session court room, City Hall, Brooklyn, at which a working committee might be appointed to take charge of the matter. The meeting would probably be called for next Wednes-

President Cantor of the borough of Man hattan insisted that Manhattan was dis-criminated against and talked of writing an open letter to the railroad companies on the subject

Commander Booth-Tucker of the Salvation Army had a talk yesterday with J. Pierpont Morgan, but said afterward that they had agreed to say nothing about it.

He was going ahead with his oiled brickly the said agreed by the said afterward that they had agreed to say nothing about it. motives. Only about half the usual number of trains seemed to be running and on many stations there were almost riots.

On the East Side, where electricity has been installed exclusively, the delays were longer and trains crawled. It took some trains three hours to go from The Bronx to Ciry Hall. City Hall.

With the rise in temperature things began to straighten out gradually on both sides of town. Gangs of men scraped the rails and by 3 o'clock electric trains were again running to Fifty-eighth street. The Harlem

There is no extraordinary need for confor charitable purposes. There is no greatlinerensed demand for coal from those whare accustomed to apply each winter to the great charitable societies. This has been the situation for the past two months, and is the situation to-day. I have confirmed by information received to-day and yested day from each of the eleven districts of the Charity Organization Society, from the Association for Improving the Condition of the Charity Organization Society, from the Asso-ciation for Improving the Condition of the Poor, and from the United Hebrew Charities, and I am sure that if any extraordinary de-mand for coal had been made upon the Society of St. Vincent de Paul it would have been communicated to the Charity Organization BOCKLY 107 the Charity Organization

same explanation to offer—last their trains were not yet equipped with devices to keep the rails clear. Furthermore, they wouldn't be equipped for three weeks.

The return of the steam trains led to a report that the elevated would dispense with electric service during the winter. This was possitively detail by the winter. This was possitively detail by the winter. This was possitively detail by the winter of the electric system is rideulous. The Manhattan is still confident regarding the success of the system. When the road is properly equipped no trouble will be experienced. It is not not be the store of the electric system is rideulous. The sake is put on first and that softens the lee, which the brush throws off. The oil then keeps the rail from freezing argain.

"We have 1,200 cars to equip with four working night and day in putting them on, so we cannot holp but be all right soon.

Motormen who were seen yesterday did not seem half so optimistic. They agreed that the oil had not worked well and without something to soften the lee the brushes did not work at all.

Beoplie the advantable. He electric trains in Brooklyn the congession there yesterday tourning was almost as bad as in Manhattan.

What is known as a "hot brine for was run constantly. This is a car from which hot sait water is sprayed on the rail. This was only partially effective, and steam trains were run part of the day. General trains wer

who purchase from them who are selling at a higher price, so that their supply may be cut

higher price, so that their supply may be cut off.

Is there nothing that the rich can do to help the poor in this emergency? The most effective method is to economize coal themselves, and not to demand from their coal dealers any more than suffices for immediate needs. I heard of a gentleman to-day who pressingly demanded a half ton of coal for a friend who was dying of pneumonia and had no coal with which to heat his house, and when the sympathizing coal merchant delivered this half ton at great inconvenience, quite outside of his ordinary district, six tons were found in the cellar. Such a man deserves to be boycotted

MINERS CASE ALL IN TO-DAY. President Mitchell Cives Testimony as to "Recognition.

SCRANTON, Pa., Dec. 12.-President John Mitchell testified before the coal strike commission to-day on the question of recognition.

He said that the notices that the companies posted after the 1900 strike, that they would take up grievances with their own men, did not mean anything, as the companies had never taken up the grievances with the men nor considered them

Mr. Torrey then read long extracts from the letters of the coal presidents previous to the strike, in which they refused his request to arbitrate the differences that had arisen. Mr. Torrey said that each and every one of the presidents had expressed his willingness to meet employees or committees of their employees at any time for

the purpose of adjusting differences. Mr. Mitchell answered that it had been

An Ideal Christmas Gift

The PIANOLA





The musical is a perfect substitute for human fingers upon the piano-keys. effects produced with its aid are not distinguishable from a gifted pianist's Performance. If the Pianola were purely mechanical and went no further than striking the right notes correctly, this could not be truthfully said. But mere technical accuracy, while

important, is the least part of the Pianola's work. Its capacity for transmitting the player's emotions to the piano and imparting human warmth and individuality to the music is its greatest claim for consideration. This ability and its splendid simplicity are the factors which have made the Pianola so successful and so popular. An absolute stranger to the art can almost at once produce charming musical

effects with the Pianola. At the same time, a skilled musician finds pleasure in its use, as perfect freedom is allowed for individual interpretation.

The Pianola is every one's instrument and is appreciated by musician and layman alike. It has long since passed the probationary period. The Pianola is unquestionably to-day the greatest and most widely popular instrument within the sphere of music.

> Price \$250. Purchasable by monthly payments. Instruments selected now will be held for Holiday Delivery.

The AEOLIAN CO., AEOLIAN HALL, 362 5th Ave., near 34th St. Selling Agents: FRED'K LOESER @ CO., Brooklyn: LAUTER CO., Newark and Paterson.

not say that the companies would not meet | RETRIAL FOR GIRL'S ASSAILANT not say that the companies and representatives of the men.

Mr. Mitchell went on to say that when he and the three district presidents went to New York they met Chairman Thomas of the Erie board, and he said that the companies would not refuse to meet the repre-sentatives of the men. Afterward, the witness said, Mr. Thomas said that he stood

witness said, Mr. Thomas said that he stood alone with regard to this.

Mr. Torrey sought to show that the miners had plunged the region into a disastrous strike without having sent representatives to confer with the coal presidents, which was within their powers.

Gen. Wilson interrupted at this point to ask what the initial causes of the strike were. He knew what the final causes were, he said. President Mitchell answered that the miners had met in convention and had drawn up certain demands for better working conditions which were not granted. Pressed by the General, Mitchell said that the officers of the union had been instrumental in getting these demands drawn up.

Dulling the day the representatives of the miners called witnesses from the docatego ground for reversing his conviction.

"The relation of Abraham Feldman, a cloak manufacturer, on a charge of criminal assault in the second degree, and granted him a new trial. Feldman was accused by Pauline Kenner, a girl under 18, in his employ. Justices Laughlin, Van Brunt and Patterson say that from the testimony taken there was a reasonable doubt of Feldman's guilt. Justices Ingraham and Hatch, in a dissenting opinion, hold that there is no ground for reversing his conviction.

"The relation that exists between an employer of young girls and such employees," say the dissenting Justices, "is such that it gives him great influence over them, and we think that their protection requires that this law should be strictly administered."

ELES CHARLES R. BISHOP. ferent mines to show how the dockied feature is conducted, as well as to demon-strate how much the miners suffer from

It was said by several witnesses that docking varied from 5 to 10 per cent. It was also testified to that miners were reoutred to have ten or twelve inches of

topping.
It is expected that the miners will com-plete the introduction of testimony tomorrow. The three district presidents will not be called to testify.

A beginning will be made for the operators

on Monday. NICHOLS FOR VICE-PRESIDENT. Spilt May Follow Between Anthracite and

INDIANAPOLIS, Ind., Dec. 12.-At the national convention of the United Mine Workers, held here in January, the constitution was so amended that the national officers are to be elected by a referendum vote, after the nominations are made by the locals.

The friends of Vice-President Lewis opposed the plan and charged that it was a plan of Mitchell and others in the order

plan of Mitchell and others in the order to displace Lewis by using the anthracite vote to elect T. D. Nichols. To-day the nominations were made pub-lic, and the prediction of Lewis and his friends was verified, Nichols being anfriends was verified, Michols being an nounced as a candidate for vice-president. The relations between Nichols and Lewis have not been cordial and it is believed that the new plan for electing officers will set Lowis aside. Considerable ill-feeling is said to have been engendered and Lewis have been engendered and being convention here may move in the coming convention here for separate organizations of the anthracite

THE CITY HALL STRIKE. Demands That Will Be Made at a Confe

ence on Monday. W. H. Walker, Superintendent of Public Buildings, attended a meeting of the Board of Building Trades in Brevoort Hall yesterday afternoon in the hope of settling the strike at the City Hall. He did not succeed, but at his request a committee of five was appointed to meet the contractors at the City Hall on Monday at 11 A. M.

City Hall on Monday at 11 A. M.

The committee was instructed to demand among other things that the Operative Plasterers' Society be empowered to appoint a foreman for the plastering who will him and disable running and disable running and disable running. will hire and discharge men and supervise the payment of wages. Other demands are to be made, including the removal of non-union marble from the first floor to be replaced with union marble, the employment of union men and the discharge of Matthew Ryan, the superintendent of be work. The committee will also demand pay for time spent in waiting to hear from the

STRIKE PICKETS DISCHARGED. Had Not Resorted to Violence or Threats

Against Workmen. St. Louis, Mo., Dec. 12.-Three of the striking saddlers at the Simmons Hardware works were in the First district police court to-day, charged with intimidation The testimony showed that they were acting as pickets in front of the store, but had not reported to violence or made threats

had not resorted to violence or made threats in persuadical other employees of the company to join the strike.

After hearing the extince, Judge Toaffe discharged them, on the ground that the Supreme Court of Missouri held a peaceful picket to be within the lawful rights of strikers. The men, went out smilling and strikers. The men went out smiling and soon resumed their position as pickets.

State Board of Canvassers Meet.

ALBANY, Dec. 12.-The State Board of Canvassers to-day cavassed the vote of the November election. All of the official the policy of the companies to act with their individual employees, but not with an aganization representing them. Mr. Torrey insisted that the letters read did

By Majority Vote of the Appeliate Court. Minority Judges Protesting. The Appellate Division, in a majority opinion handed down yesterday, has set aside the conviction of Abraham Feldman.

Perhaps many people think we sell none but the "Broad-Toed " Shoes.

SUES CHARLES R. BISHOP.

writer, Alleges Assault. NEW HAVEN, Conn., Dec. 12.-Charles R. Bishop, president of the Bishop Box and Paste Company and treasurer and general manager of the Kidder Motor Ve-nicle Company of this city, was made de-fendant to-day in a suit for \$10,000 damages brought by Miss Maude I. Hubbard, daugh er of former Police Commissioner Eugene R. Hubbard, who charges assault Bishop is about 45 years old and Miss Hubbard is 25. She formerly was his typewriter and bookkeeper for severa Bishop is one of the leading busin

Miss Maude Rubbard, Formerly His Type

JOKE ON AN ULTRA MARINE Showing That Ships' Officers Sometimes Have the Laugh on Their Side.

A guileless young marine reporter who went aboard the new Pacific Mail steamship Siberia recently discovered "four opium smoking dens" away ait, "just forward of the steam steering gear." He says that is what one of the ship's officers told him they

Yesterday afternoon the reporter's paper printed a long piece telling how the

That isn't so. True we do make a spe-

cialty of our justly-famous "Good Sense." But we also carry every good " style of shoe-for

Men, Women and Children. Please remember that when you have "Coward'

Shoes in mind. SOLD NOWHERE ELSE. JAMES S. COWARD, 268-274 Greenwich St., near Warren St., N. E. Mail Orders Filled. Send For Catalogue.

were for the use of Chinese passengers and how wicked it all was. An official of the Pacific Mail Line explained to a SUN man that the place described is the ship's hospital. The official seemed to suspect that somebody had been stringing the guileless marine reporter.

The Siberia will soon go in service to tween San Francisco and ports of the Orient.

After a winter outing nothing is so refreshing as

Malta-Vita —The Perfect Winter Food. Served with warm cream or warm milk.

-WE SAVE YOU TIME. -WE SAVE YOU MONEY. We scientifically prepare, thoroughly cook, mechanically malt and toast whole wheat flakes the most delicious, appetizing

-WE SAVE YOUR FUEL.

Malta-Vita

-Original Food.

In winter serve with warm milk or cream.

